

PRIVACY POLICY

[En Espanol](#)

Last updated: February 4, 2011

This privacy policy (the “**Privacy Policy**”) governs the treatment by Sirius XM Radio Inc., XM Satellite Radio Inc. and each of their subsidiaries (together, “we”, “us” or “**SiriusXM**”) of both anonymous and personally identifiable information that SiriusXM collects when its visitors or users (“**you**”) use this or any other website operated by or on behalf of SiriusXM on which this Privacy Policy is posted, such as our online media player, available on such website(s) (the “**Site**”), and when you provide information solicited by us through the Site for any reason, including for our Satellite Radio Service, Internet Radio Service, Mobile Device Radio Service, our traffic and weather (including marine weather), or any other service offered by SiriusXM (the “**SiriusXM Service**”). You can listen to the SiriusXM Service on a variety of radio receivers for the vehicle, home, and portable use, and via the Internet. Subscribers and other visitors to and users of our Site and the SiriusXM Service are also subject to our [SiriusXM Customer Agreement & Website Terms of Use](#). Any terms used and not defined in this Privacy Policy shall have the meanings set forth in the SiriusXM Customer Agreement & Website Terms of Use, if defined therein.

This Site is owned by Sirius XM Radio Inc. We value your privacy and are dedicated to protecting your information and providing you with notice about our information collection and use practices and the choices that you have regarding these practices.

By accessing any part of the Site, you consent to and agree with this Privacy Policy. If you do not agree with any part of this Privacy Policy, please do not use the Site.

COLLECTION

What anonymous information and personally identifiable information do we collect and how do we collect it?

USE

How do we use your information?

With whom may we share your information?

What is “behavioral advertising” and how does it affect you?

CHOICE

What choices do you have regarding the collection, use and distribution of your information?

How can you inform us of your “privacy preferences”?

SECURITY

What security procedures do we use to protect your information?

ACCESS

How can you update or correct the information we collected from you?

COLLECTION

By accessing or using the Site, you may provide us with two types of information:

(1) anonymous, non-personally identifiable information, which we collect through the use of the technology called “cookies,” discussed below, and (2) personally identifiable information that you voluntarily choose to disclose to us, such as your name, address, telephone number, email address, and credit card information. This Policy covers only anonymous information, personally identifiable information and other solicited information that may be collected on the Site. It also does not apply to any unsolicited information that you provide through the Site or SiriusXM Service. All unsolicited information shall be deemed to be non-confidential, and we shall be free to reproduce, use, disclose and distribute such unsolicited information to others without limitation or attribution.

Anonymous Information. We automatically receive certain types of anonymous information which do not identify you personally, whenever you interact with us through an Internet browser. The anonymous information includes the pages you view on our Site, the search terms you enter into our search utility, your IP address and the operating system, browser software and Internet service provider you use. SiriusXM logs IP addresses (a unique number assigned to every computer on the Internet) in order to improve security, analyze trends and administer the Site. We may track your movement within the Site, the third-party website pages from which you were referred, your use of the media player portion of our Site, access times and browser types. We use this information to gauge the effectiveness of our Site, track information for statistical purposes and to improve the products and services we provide.

We use the standard “cookie” feature of major browser applications and other data capture mechanisms that allow us to store data about your visit to our Site. A cookie is a small text file that is stored on a user’s computer for record-keeping purposes. We store information that we collect through cookies, log files and other tracking technology such as clear .gifs.

We use both session ID cookies and persistent cookies. We use session ID cookies to make it easier for you to navigate our Site. A session ID cookie expires when you close your browser. A persistent cookie remains on your hard drive for an extended period of time. You can remove persistent cookies by following directions provided in your Internet browser's “help” file. Persistent cookies are used to differentiate users of the Site from subscribers, to customize the content of certain sections of the Site and to enable us to track and cater to the interests of users, in order to enhance their experience on the Site. Cookies help us learn which areas of our Site are useful and which areas need improvement. We do not use cookies or other data capture mechanisms to collect any personally identifiable information about you.

You may configure your browser to prevent cookies from being set on your computer. If you reject cookies, you may still use the Site, but your ability to use some areas of the Site may be limited and you may not be able to use certain features of the Site, including setting your favorite channels, storing items in your shopping cart, or entering sweepstakes or contests.

SiriusXM uses Flash cookies. “Flash cookies” are a form of persistent cookies technically called “Local Shared Objects” (LSOs). Flash cookies set an LSO to track your use of the Site. This tracking and storage can occur even after you have deleted your browser cookies or opted-out of network advertising. This tracking sets two cookies on your computer--a standard cookie and a Flash cookie, as described below. Flash cookies are set through a mechanism in Macromedia's Adobe and Flash MX players and, according to Macromedia, 98% of computer users have some version of Flash on their computers.

Flash cookies can be considered to be equivalent to “normal” web cookies, except for a few minor differences. With Flash cookies your data is stored in multiple places and it is restored once you delete it. Normal web cookies can be managed via the preferences dialog of most web browsers, but no similar utility for managing Flash cookies is included in most web browsers. It is possible for Flash cookies to remain on your computer indefinitely because an expiration date cannot be set for them. As with normal web cookies, a website that placed the Flash cookie can only access data that it captured; it is not allowed to read Flash cookies created by other websites. This prevents SiriusXM from observing your behavior at other websites.

To prevent new Flash cookies from being placed by us, you can adjust your preferences on a per website basis in the [Macromedia Website Privacy Settings Panel](#). Using this tool, Flash cookies can be completely disabled or allowed on a per website basis. Macromedia has published a walk through guide to help users disable Flash cookies.

To delete current Flash cookies and their tracking information, just go to the correct folder in your directories and delete them. Flash cookies are organized in folders according to the website that placed them and are stored in a special directory depending on the operating system on your computer. They are arranged in directories according to the website that placed them on the computer (look for a file with a .SOL extension): For example, Windows C:\Documents and Settings\[username]\Application Data\Macromedia\Flash Player or Macintosh OSX /Users/[username]/Library/Preferences/Macromedia/Flash Player. Firefox users can use [Objection](#), a recently developed extension that adds an LSO deletion tool to Firefox preferences.

SiriusXM uses HTML5. SiriusXM uses HTML5 or “Media Stamp” technology provided by Ringleader Digital, another form of collection, tracking and storage which does not rely on traditional browser cookies. HTML5 has a local storage feature that, when used, allows for quicker access to a website upon a return visit. While HTML5 is still undergoing development by the providers of this software, it is currently supported by some mobile devices, including the most recent iPhone. SiriusXM programming is available on mobile devices. We use HTML5 as a substitute for traditional cookies that often do not function well on mobile devices. Like Flash cookies, HTML5 cookies are not stored in a browser “cookies” file, and, like Flash cookies, can be used to track users across websites. There is currently no known way for a user of a mobile

device to remove HTML5 tracking and storage, but a number of companies are working to produce software that would enable such removal.

Personally Identifiable Information. We collect information you provide to us when you purchase products from us and when you subscribe to and/or use the SiriusXM Service. For example, you may provide us a billing address and credit card information, including your name, address, email address and telephone number, when you purchase and/or use the SiriusXM Service or purchase a product through our online store. When you register online to subscribe to the SiriusXM Service, subscribe to our newsletter(s), purchase and/or use the SiriusXM Service, or receive customer or technical support, you may be required to complete a form that may require you to provide personally identifiable information, including your name, address, email address, telephone number and/or date of birth. This information will be maintained for our records, which will enable you to place future purchases without the need to re-enter the information.

Our Site may also offer interactive services, such as chat rooms, forums and message boards. Please remember that any information that you disclose in these areas becomes public information, and you should exercise caution when deciding to disclose personally identifiable information in these areas.

You must be at least eighteen (18) years old to register online for the SiriusXM Service or our games, contests, and promotions. If you are a minor (under the age of eighteen), please do not submit any personally identifiable information to us. We do not knowingly collect, maintain, or sell products or services to people under the age of eighteen (18).

Supplemental Information. We may supplement the information you provide to us by acquiring commercially available demographic and marketing information from third parties to help us better serve you, for instance, to verify your address or to update your information and to create a profile of your preferences. We tie your personally identifiable information to information in the profile, and use it to improve the content of the Site for you or to inform you about products or services that we think will be of interest to you. We may also receive information from the retailer, dealer, or automaker from whom you obtained your satellite receiver, even prior to your initiation of service with us. Some of this information, which you are not required to provide, may include: your gender, marital status, education and occupation; your household size and income; the number of drivers in your household; the make, model and age of your car; the make, model and features of your car audio system; whether you own or lease your car; information about your commute and the amount of time you spend driving; and your favorite musicians and types of music.

Third Party Links. Our Site may contain links to other websites. We are not responsible for the content or privacy practices of those websites, including the use of personally identifiable information about you collected by those websites. We encourage you to be aware when you leave our Site and to read the privacy statements of websites you visit that collect personally identifiable information. This Privacy Policy applies only to information collected by us on the Site and collected when you visit the Site and/or subscribe to or use the SiriusXM Service or purchase products from us through the Site.

Advertisements. We may from time to time use various outside ad-serving or other companies to serve advertisements on the Site. In the process of serving advertisements, such companies may use cookies, and may use information about your visits to the Site and other websites in order to provide advertisements on the Site about products and services that may be of interest to you. By delivering ads on the Site, and the use of cookies, the ad-server is able to record what ads a user has seen, and what pages the user was viewing when the ads were delivered. This web usage information is combined with other ad delivery information the ad-server has collected from your visits to the Site and other websites not affiliated with SiriusXM. The information that we collect and share with both cookies and other ad-serving technology is anonymous and not personally identifiable. It does not contain your name, address, telephone number or email address. This non-personally identifiable information is used as part of the ad-serving process for reporting, and to select and direct the ads you see online at the Site and other websites not affiliated with us.

Surveys or Promotions. From time to time we may provide you the opportunity to participate in sweepstakes, contests, promotions or other activities promoted on the Site, which might be sponsored or conducted by SiriusXM or by a third party. If you participate, we will request certain personally identifiable information from you. Participation in these promotions is completely voluntary and you will have a choice whether or not to disclose this information. The requested information typically includes contact information. Except as explained otherwise in the Official Rules for a particular contest, giveaway, or promotion, such as in a paragraph entitled “Privacy Notice” or similar title, any personally identifiable information you provide will be used in accordance with this Privacy Policy. If there is a third party sponsor involved, please make sure to review that third party's privacy policy. In addition, from time to time you may be able to participate in our surveys to help us improve the SiriusXM Service. Except as may be explained otherwise in that survey, any personally identifiable information so collected will be used for our internal purposes only in accordance with this Privacy Policy.

DO WE COLLECT INFORMATION ABOUT CHILDREN?

Absent parental consent, we do not knowingly collect, maintain, or sell products or services for purchase to people under the age of eighteen (18) or use personally identifiable information from our Site about children under the age of eighteen (18). However, if a child who we know to be under the age of eighteen (18) sends personally identifiable information to us online, we may use that information to notify that child's parents or seek parental consent to further interact with that child.

USE

USE OF ANONYMOUS INFORMATION

We use the anonymous information we collect from our Site and your IP address to administer our Site, improve our goods and the SiriusXM Service, determine how our Site is being used, identify popular areas of our Site and analyze trends and usage patterns. We may also use your IP address to help diagnose problems with our server.

USE OF PERSONALLY IDENTIFIABLE INFORMATION

Our Use. We receive and store any personally identifiable information you enter on the Site or give to us voluntarily in any other way in connection with the Site and may use it to contact you from time to time. We will use your personally identifiable information for our business purposes including, for example, to (i) provide and improve the SiriusXM Service, (ii) enforce the SiriusXM Customer Agreement & Website Terms of Use, as applicable, which govern your SiriusXM Service, (iii) offer you extensions of service, or new products and services, (iv) send you information on products, services, special deals, promotions, or information which we think may interest our users and subscribers, and (v) perform market research.

Telephone: By registering on the Site or by subscribing to the SiriusXM Service, and providing your telephone number, or by purchasing or leasing an automotive vehicle with a complimentary SiriusXM Service subscription, you agree that this action constitutes a purchase, inquiry and/or application for purposes of telemarketing laws. Notwithstanding the fact that your home telephone and/or mobile telephone number may be listed with the Federal Do-Not-Call Registry, or your local State Do-Not-Call list, you expressly consent to receive future information about products and services from us, and in that regard, you hereby consent to our contacting you pursuant to the business relationship established using the information you provided to us. This means we may contact you, in person or by recorded message, by email, home telephone and/or mobile telephone number (including use of automated dialing equipment), text (SMS) message, or any other means of communication that your wireless or other telecommunications device may be capable of receiving (including video), except as may be prohibited by applicable law. (Please note that as of September 1, 2009, we will not contact you by the use of a prerecorded telephone message, for the purposes of trying to sell you anything, unless we have your prior express consent, as required by Federal law.)

If you want to be added to SiriusXM's "do not call" list, you may follow the procedures outlined in the CHOICE section of this Privacy Policy.

Mail and Email: We may also send you information or offers from time to time to the postal address or email address we have on file.

On Air: If you provide us with information when you request that a song or other content be played on the SiriusXM Service, we may use the information you provide in accordance with this Privacy Policy, including to announce your name and request on the air.

Online: If you provide your name for a promotional offer to enter a sweepstakes or contest, and win a prize, we may post your name on a winner's list online, and will file your name with state agencies if required by law.

Vendors. We work with other companies and individuals to perform functions on our or your behalf. Examples might include fulfilling orders, sending email, removing repetitive information from customer lists, analyzing data, providing marketing assistance, providing search results and links and providing customer service. Our service providers and prospective service providers may be provided access to your personally identifiable information to perform their functions, but may not use it for other purposes. We use your credit card information to process payments (or any appropriate adjustments to such payments) for any paid products and services you have authorized. We do not supply your credit card information to any third party, except as necessary to process and service a transaction.

Third Party Offers. We may share personally identifiable information and demographic information with third parties in order to have them send you special offers and promotions or other information we think you might find of interest. They may use your email address, postal address, or telephone number to provide you with information about their products or services. You acknowledge and agree that we have this right to make our customer list, and portions thereof, and your information available to these select third parties. If you do not want us to provide your information to third party companies, please contact us at SiriusXM Listener Care, online at <http://www.siriusxm.com/contactus>, or by telephone at 1-866-635-2349.

Other Uses. We may use your personally identifiable information to contact you about the SiriusXM Service, or for other purposes in which you have expressed an interest, for example, if you have contacted customer service or made an inquiry.

Service Related Announcements. On occasion we will provide you with service and account related announcements. For instance, if our service is temporarily suspended for maintenance, or the delivery of a service or product is delayed, or if there is some service issue with something you might have ordered we might send you an email, or other message. Notwithstanding the fact that your home telephone and/or mobile telephone number may be listed with the Federal Do-Not-Call Registry, or your local State Do-Not-Call list, you expressly consent to our contacting you, using the information you provided to us, for service and account-related announcements. You may not opt-out of these non-promotional communications related to your subscriptions or order. However, if you do not wish to receive these communications, you have the option to cancel your subscription or order by contacting us at SiriusXM Listener Care, online at <http://www.siriusxm.com/contactus>, or by telephone at 1- 866-635-2349.

Exceptional Circumstances. If SiriusXM or any of its divisions, subsidiaries or affiliated companies are sold or disposed of as a going concern, whether by merger, sale of assets or otherwise, the relevant databases of SiriusXM could, in whole or in part, be transferred as part of that transaction. Therefore, information about our subscribers, users of the Site and the SiriusXM Service, including personally identifiable information, may be disclosed as part of any merger or acquisition, creation of a separate business to provide the Site or the SiriusXM Service, or sale or pledge of our company assets, as well as in the event of an insolvency, bankruptcy or receivership in which personally identifiable information may be transferred as

one of the business assets of the company. If such transfer occurs, the privacy policy of the acquiring entity may govern the use of your anonymous and/or personally identifiable information. Information about our users, including personally identifiable information, may also need to be disclosed in connection with a commercial transaction where SiriusXM, or an affiliate, seeks financing, investment, support or funding.

We also may release personally identifying information if required to do so by law or in the good-faith belief that disclosure is necessary (a) to conform to any applicable law to comply with legal process served on us or our affiliates, or to respond to a request by law enforcement or governmental authorities; (b) to enforce the SiriusXM Customer Agreement and Website Terms of Use, including any investigation of potential violations thereof; (c) to protect or defend our rights or property, or the rights or property of our employees, agents, contractors or other users of the SiriusXM Service or Site; or (d) to act under exigent circumstances to protect the personal safety of users of the SiriusXM Service or Site or the public.

California Subscribers. California Civil Code Section 1798.83 permits our subscribers who are California residents to request certain information regarding our disclosure of personally identifiable information to third parties for their direct marketing purposes. To make such a request, please write us:

Sirius XM Radio Inc.
Attn: Legal Department - CA Privacy Rights
1500 Eckington Place NE
Washington, D.C. 20002

BEHAVIORAL ADVERTISING

“Online behavioral advertising,” as the Federal Trade Commission defines it, means the tracking of your online activities over time - including the searches you conducted, the web pages you visited, and the content viewed - in order to deliver advertising targeted to your particular interests. The definition is not intended to include “first party” advertising, where no data is shared with third parties, or “contextual advertising,” where an ad is based on a single visit to a web page or a single search query.

SiriusXM may engage in online behavioral advertising, including without limitation tracking your online activities on our Site to better serve you information regarding SiriusXM while you are here (i.e., “first party advertising”), and also to serve you information from third party advertisers. We use a third party service provider to serve ads on our behalf across the Internet, on third party websites (i.e., “contextual advertising”) and sometimes on this Site. They may collect, or we may share, anonymous information about your visits to our Site, and your interaction with our products and services. They may also use information about your visits to this Site and other websites to target advertisements for goods and services. This anonymous information is collected through the use of pixel tags or cookies, which are industry standard

technologies, used by most major websites. No personally identifiable information is collected or used in this process. They do not know the name, phone number, address, email address, or any personally identifying information about the user. If you would like more information about this practice and to know your choices about not having this anonymous information used by our third-party service provider, please [click here](#).

We may retain your personally identifiable information and associated data to fulfill our business purposes and may require our ad serving companies to similarly retain your personally identifiable information and associated data. We provide reasonable security measures for the data about your online activities, which measures are at least as secure as the security we use to protect our own information, and require our ad serving companies to do the same. These protections are appropriate to the sensitivity of the data we've collected, the nature of our business operations, and the types of risks faced by SiriusXM.

You have the power to take control of how SiriusXM tracks your online activities while you are on our Site. Since we use the standard “privacy” feature of major browser applications to store data about your visit to our Site, you may configure your browser to allow cookies to be set on your computer only to the level of your comfort. As noted elsewhere in this Privacy Policy, if you reject all cookies, you may not be able to use certain features of the Site, including setting your favorite channels, storing items in your shopping cart, or entering sweepstakes or contests. At the other end of the range, if you reject “third party” cookies, you have the greatest ability to opt-out of “contextual advertising” while you are on third party websites. In this way you can control the access SiriusXM has to your anonymous information for “behavioral advertising.”

CHOICE

Your postal address and email address: You may opt-out of our use of your information as set forth above, by contacting us at SiriusXM Listener Care, online at <http://www.siriusxm.com/contactus>, or by telephone at 1-866-635-2349.

You can also set your own preferences online for receipt or non-receipt of SiriusXM marketing and promotional emails by following the instructions included at the bottom of each E-Newsletter. In addition, if you wish to set your preferences online for receipt of SiriusXM marketing and promotional emails or E-Newsletters, you can go to the SiriusXM Newsletter Preference Center at <http://www.siriusxm.com/newsletters>. Regardless of the fact that you choose to “unsubscribe” from our emails, you may still receive service and account-related emails. We may retain your personally identifiable information for a reasonable period of time after you unsubscribe for purposes of internal account management.

Your telephone number (for telemarketing sales calls): You may add yourself to SiriusXM's "do not call" list by calling 1-866-635-2349. This may take a few days to take effect and, if a calling campaign is in process, you may continue to be contacted while your request is processed. We appreciate your patience. We may have more than one telephone number associated with you or your family members, so please be specific as to which phone numbers you are directing us not to call. Regardless of the fact that your home telephone and/or mobile telephone number may be listed in our records as "do not call," we may still use that telephone number to call you for service and account-related matters.

SECURITY

We may retain your data to fulfill our business purposes. Our Site is highly secure, with extra security in place to protect personally identifiable information. We use a varied combination of security measures to safeguard the confidentiality of the personally identifiable information you provide us when you purchase or use our products or the SiriusXM Service. We have security procedures for the storage and disclosure of personally identifiable information, which you have given us in order to prevent unauthorized access. Our security measures for your personally identifiable information, and for the data about your online activities, are at least as secure as the security we use to protect our own information. Keep in mind however, that no method of transmission over the Internet, or method of electronic storage, is 100% secure, and it may be possible for third parties not under the control of SiriusXM to intercept or access information unlawfully. Therefore, while we strive to use commercially acceptable means to protect your personally identifiable information, we cannot guarantee its absolute security.

It is important for you to protect against unauthorized access to your password and to your computer. Be sure to sign off when finished using a shared computer.

The Site may also contain links to other websites. Keep in mind that we do not control, and are not responsible for, the privacy or security practices or the content of these other websites.

SIRIUSXM ASSUMES NO RESPONSIBILITY OR LIABILITY WITH REGARD TO ANY THEFT, LOSS, ALTERATION OR MISUSE OF PERSONALLY IDENTIFIABLE INFORMATION OR OTHER INFORMATION WHICH WE LAWFULLY PROVIDE TO THIRD PARTIES, OR WITH REGARD TO THE FAILURE OF ANY THIRD PARTY TO ABIDE BY THIS PRIVACY POLICY OR AGREEMENT BETWEEN THAT THIRD PARTY AND SIRIUSXM OR YOU.

ACCESS

You are responsible for keeping your contact information current and accurate. If for any reason you are concerned that the personally identifiable information you provided to SiriusXM is not correct, or should you wish to have your contact information changed or updated, please go to SiriusXM Listener Care online at <http://www.siriusxm.com/contactus>, to log into your account

and manage it there. If you are unable to manage your own account online, please call us at 1-866-635-2349. We will be happy to review, update or remove information as appropriate. We may still retain your information in our files, however, to resolve disputes, enforce our [SiriusXM Customer Agreement & Website Terms of Use](#), and technical and legal requirements and constraints related to the security, integrity and operation of the Site and the SiriusXM Service.

NOTIFICATION OF CHANGES

The Effective Date of this Privacy Policy is set forth above. Please make special note of the Effective Date of this Privacy Policy. We may revise and update this Privacy Policy at any time without notice for any or no reason, including if our practices change, if technology changes, or as we add new services or change existing ones. These privacy practices apply to past, current and potential future subscribers who purchase and use our products and services. If we make any material changes to our Privacy Policy or how we handle your personally identifiable information or how we keep your purchases anonymous, you will know because the Effective Date of the Privacy Policy will change. By using the Site or the SiriusXM Service after the Effective Date, you are deemed to consent to our then-current Privacy Policy. We recommend that you visit this Privacy Policy on a regular basis to ensure that you are familiar with its current terms.

DISPUTES

If you choose to visit the Site, your visit and any dispute over privacy is subject to this Privacy Policy and, as applicable, our [SiriusXM Customer Agreement & Website Terms of Use](#), including limitations on damages, arbitration of disputes, and application of the laws of the State which governs the terms of the Site and SiriusXM Service you use.

We control and operate this Site from the United States. The Site is not intended to subject us to the laws or jurisdiction of any state, country or territory other than that of the United States. Please note that we do not represent or warrant that the Site is appropriate for use in any particular jurisdiction. Those who choose to access the Site do so at their own initiative and are responsible for complying with all applicable laws, rules and regulations. The interpretation and enforcement of this Privacy Policy shall be governed by the rules and regulations of the State of New York and other applicable United States federal laws.

THANK YOU FOR CHOOSING SIRIUS OR XM RADIO.